

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

BYRON L. WALLACE,  
ADC #107098

PLAINTIFF

5:13CV00155-SWW-JTK

WENDY KELLEY, et al.

DEFENDANTS

**ORDER**

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1) The Motion for Summary Judgment filed by Defendants Lay and May(Doc. No. 20) is GRANTED.

2) Plaintiff's claims against Defendant Lay are DISMISSED without prejudice.

3) Plaintiff's claims against Defendant May are DISMISSED with prejudice.

4) Plaintiff's Motion for Summary Judgment (Doc. No. 34) is DENIED without prejudice.

IT IS SO ORDERED this 3<sup>rd</sup> day of October, 2013.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE